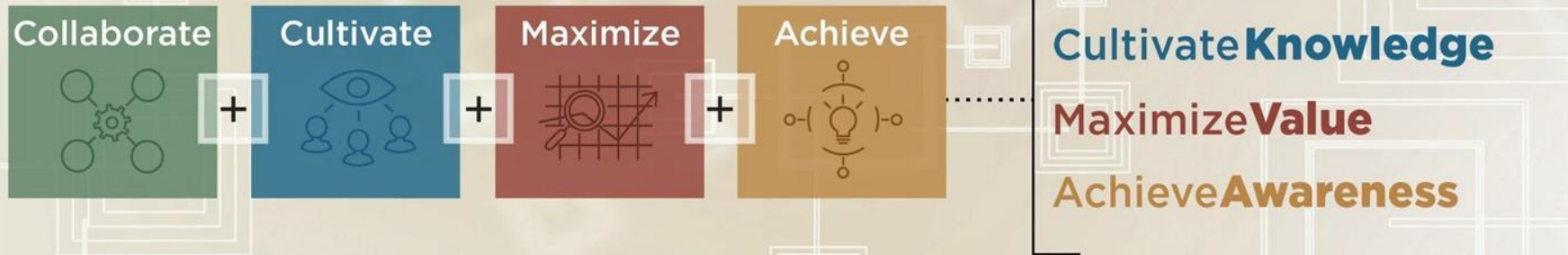


Professional Services & Human Capital Symposium

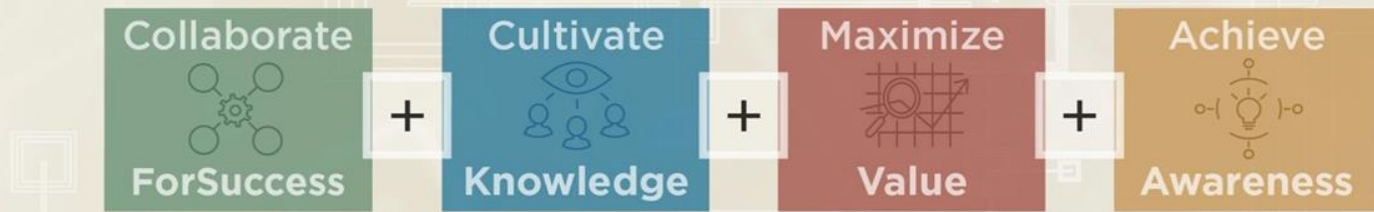
June 6-8, 2017 | Tacoma, WA



Multiple Award Schedules Ordering Procedures

Steve Sizemore
Program Manager
GSA

June 6, 2017



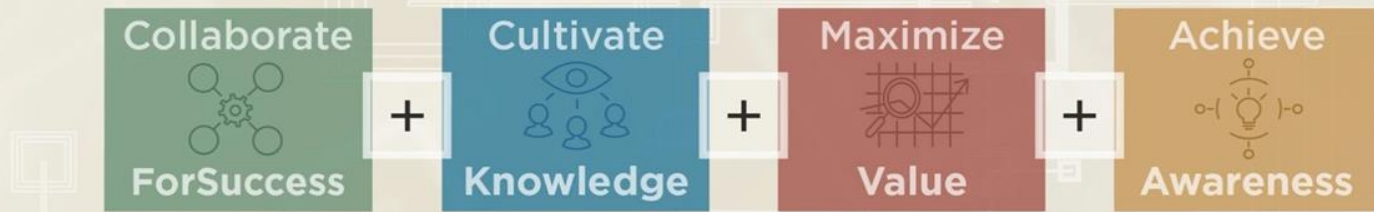
This course is sponsored by the

GSA Federal Acquisition Service

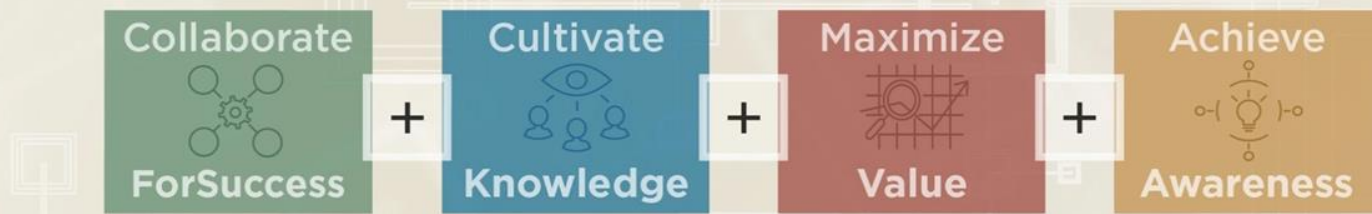
in association with the

Federal Acquisition Institute





Interagency Acquisition

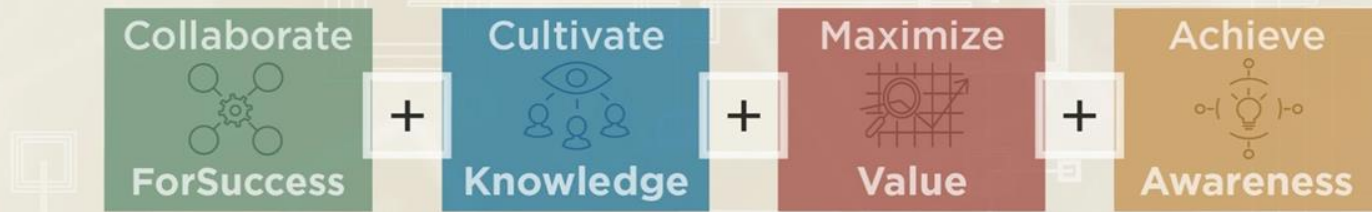


What Is an Interagency Acquisition?

“**Interagency acquisition** means a procedure by which an agency needing supplies or services (the requesting agency) obtains them from another agency (the servicing agency), by an assisted acquisition or a direct acquisition.”

The term includes:

- Economy Act acquisitions (31 U.S.C. 1535)
- Non-Economy Act acquisitions completed under other statutory authorities
- All GSA contracts are Non-Economy Act



Types of Interagency Acquisitions

Direct Acquisition means the agency with the requirement places an order directly against the servicing agency's Indefinite Delivery Vehicle (IDV)

Assisted Acquisition means the servicing agency and requesting agency enter into an interagency agreement pursuant to which the servicing agency performs acquisition activities on the requesting agency's behalf, such as awarding a contract, task order, or delivery order

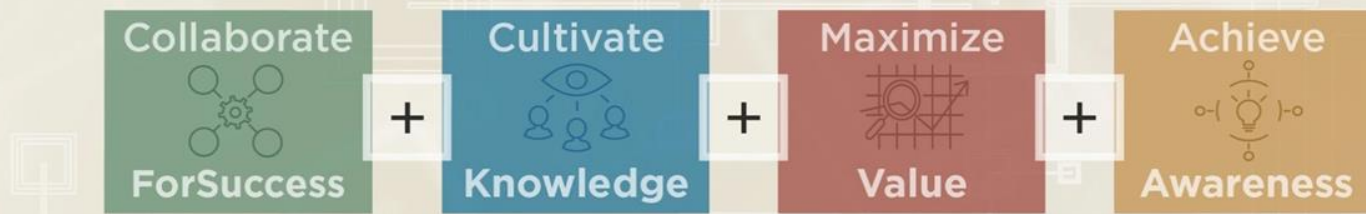


Presumption of Best Interest to the Government

Agencies may presume that direct acquisitions made by qualified individuals are in the best interest of the Government if the vehicle was established under the:

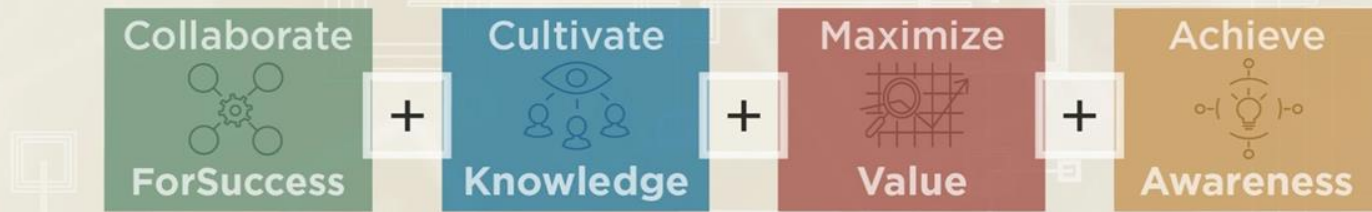
- Federal Strategic Sourcing Initiative (FSSI)
- Federal Supply Schedules Program (FSS)
- Governmentwide Acquisition Contracts (GWACs)

*Reference OMB Memorandum, Subject: Improving the Management and Use of Interagency Acquisitions, Dated June 6, 2008



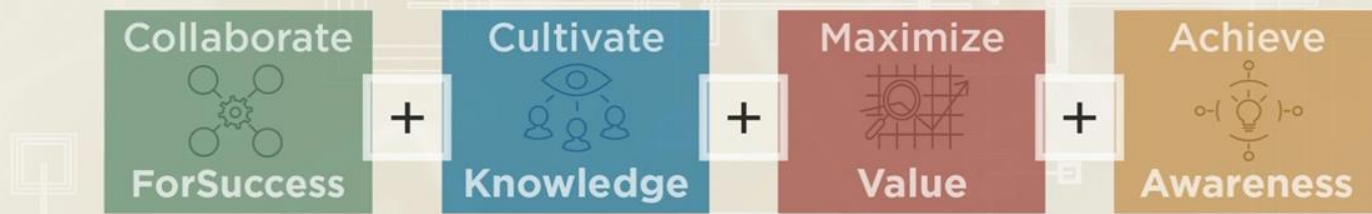
Interagency Contract Defined

- Most interagency acquisition contracts fit one of three categories:
 - Governmentwide Acquisition Contracts (GWACs)
 - Multi-Agency Contracts (MACs)
 - Federal Supply Schedules (FSS)



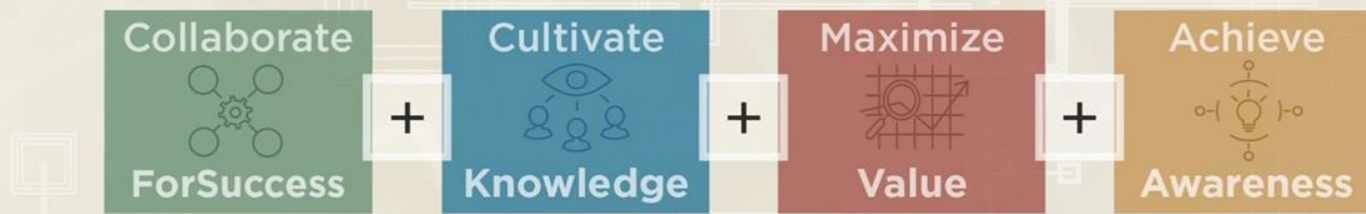
What is a GWAC?

- A Governmentwide Acquisition Contract (GWAC) is defined as a task or delivery order contract for information technology
- Authority: Section 5112(e) of the Clinger-Cohen Act (40 USC 1412[e])
- Office of Management and Budget designates one or more "executive agents" for government-wide acquisitions of information technology
- Current Executive Agents:
 - **General Services Administration**
 - **NASA**
 - **National Institutes of Health**



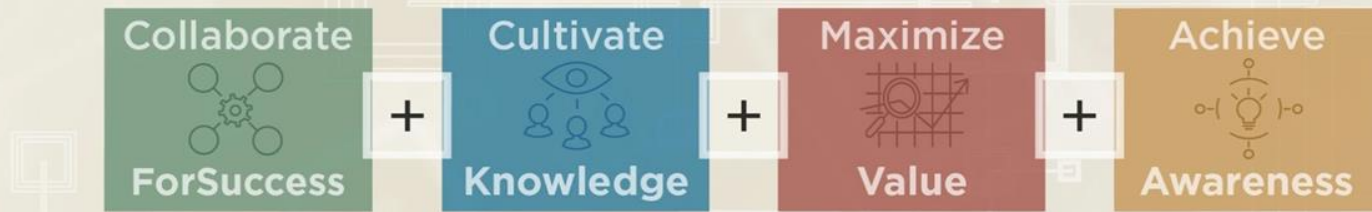
What is a MAC?

- A multi-agency contract (MAC) is a task-order or delivery-order contract established by one agency for use by Government agencies to obtain supplies and services
- MACs include contracts for information technology established pursuant to 40 U.S.C. 11314(a)(2)
- MAC contracts may be for other than information technology
- Ordering procedures prescribed by FAR 16.5
- Orders are subject to the Economy Act
 - Exception to the Economy Act requirements for MACs: GSA OASIS
- GSA has specific statutory authority under 40 U. S. C. 501 to purchase supplies and non-personal services on behalf of other agencies. Therefore, the Economy Act does not apply to OASIS orders.

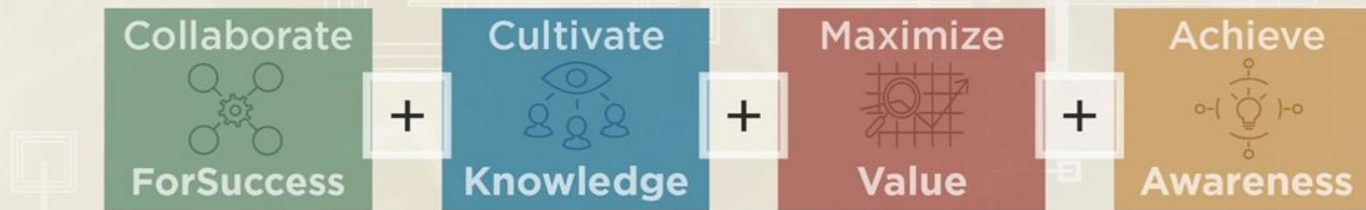


What is a Federal Supply Schedule?

- Governmentwide contract vehicle for commercial products, services, and solutions, also known as “Multiple Award Schedules (MAS),” “GSA Schedules,” or “VA Schedules”
- Standing solicitations posted on FedBizOpps
- Awarded using FAR Part 12 procedures
- Ordering procedures prescribed by FAR 8.4
 - Orders not subject to the Economy Act

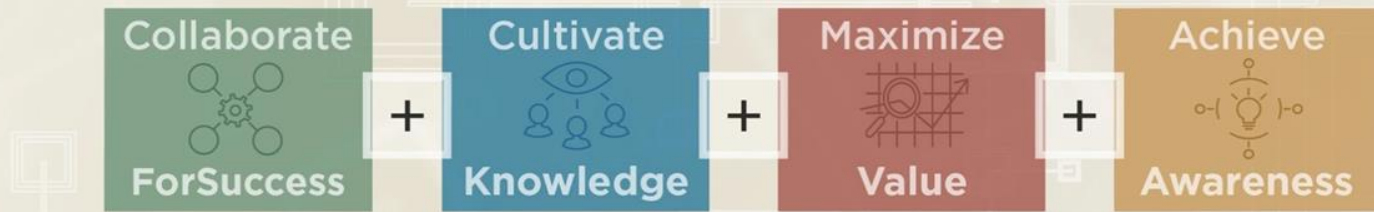


What are the Proper Procedures for using Interagency Contracts?



Interagency Acquisitions – FAR Basics

- FAR 17.5 – Interagency Acquisitions
- Applies to all interagency acquisitions except – Federal Supply Schedule orders <\$550,000
 - However, most agencies have issued local policy implementing these requirements at the SAT
 - (See DFARS 217.770 for DOD rules)
- Agencies shall not use Interagency Acquisition to circumvent conditions and limitations on the use of funds
- Requires Best Procurement Approach Determination (Not a D&F)



Interagency Acquisitions – FAR Basics (cont)

- FAR 17.7 – Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense
- AKA: Assisted Acquisition or “Offloading”
- Applies to all acquisitions made by nondefense agencies on behalf of DoD in addition to FAR 17.5
- Nondefense agency certifications, waivers, and additional information are available at http://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html

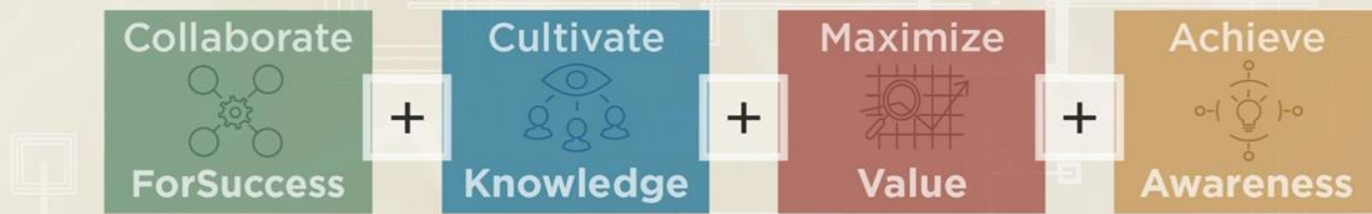


Interagency Acquisitions – The DFARS

217.770

(a) Evaluating whether using a non-DoD contract for the acquisition is in the best interest of DoD. Factors to be considered include –

- (1) Satisfying customer requirements
- (2) Schedule
- (3) Cost effectiveness (taking into account discounts and fees). In order to ensure awareness of the total cost of fees associated with use of a non-DoD contract, follow the procedures at [PGI 217.770\(a\)\(3\)](#)
- (4) Contract administration (including oversight)



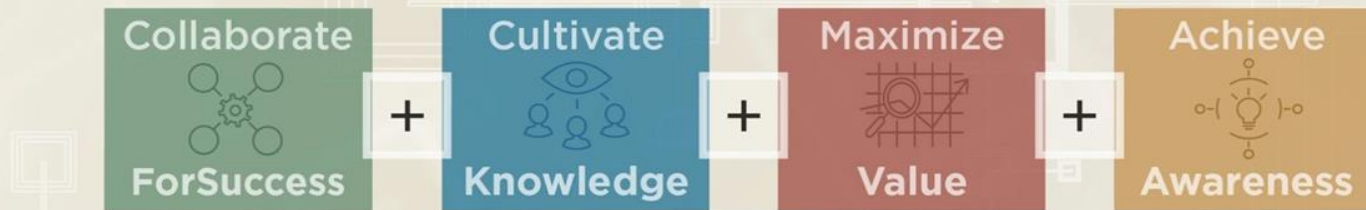
Interagency Acquisitions – The DFARS

217.770 –

(b) Determining that the tasks to be accomplished or supplies to be provided are within the scope of the contract to be used

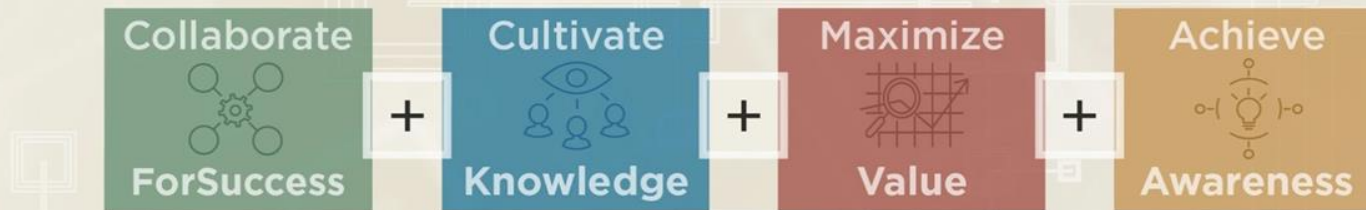
(c) Reviewing funding to ensure that it is used in accordance with appropriation limitations

(d) Collecting and reporting data on the use of assisted acquisition for analysis. Follow the reporting requirements in subpart [204.6](#).



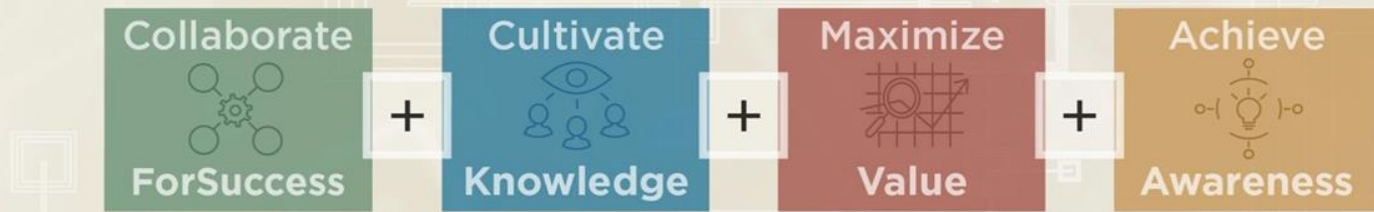
Topic 1: *Introduction to the MAS Program*

What is MAS all about?



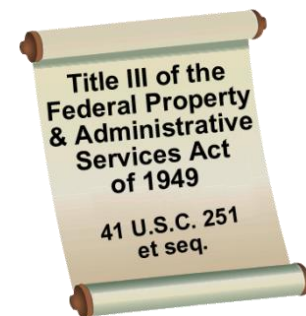
GSA Mission and Priorities

- **GSA Mission:** The mission of GSA is to deliver the best value in real estate, acquisition, and technology services to government and the American people.
- **Priorities:**
 - Delivering Better Value and Savings
 - Serving our Partners
 - Expanding Opportunities for Small Businesses
 - Making a More Sustainable Government
 - Leading with Innovation
 - Building a Stronger GSA



Statutory Authority for the MAS Program

- GSA has the authority to procure and supply:
 - ***Personal property*** and ***non-personal services***
 - For executive agencies through the Federal Property and Administrative Services Act of 1949
- 41 U.S.C. Sec 259 provides that GSA Schedules are considered competitive if:
 - Participation is open to all ***responsible prospective contractors***; and
 - Orders and contracts result in the lowest overall cost alternative to meet the Government's needs.





Responsibility for Management of MAS Program



The Federal Acquisition Service (FAS) within GSA manages the MAS Program.



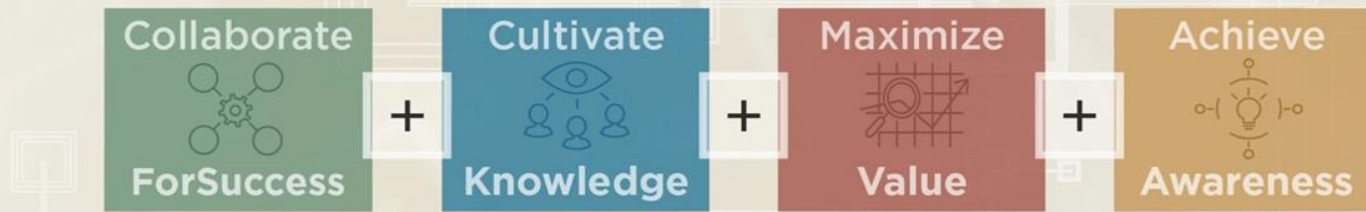
Schedules for medical services and supplies have been delegated to Department of Veterans Affairs



Regulatory Foundation

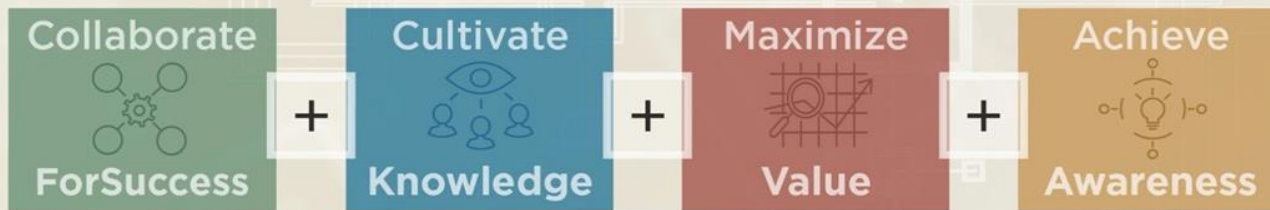
The Federal Acquisition Regulation (FAR)

FAR	Provides	Applicability
Subpart 8.4	Ordering procedures for GSA Schedules	Federal Government ordering activities
Part 12	Acquisition of commercial items	GSA awards Schedule contracts under Part 12
Subpart 6.102(d)(3)	Defines orders placed against Schedules as a competitive procedure	All



What Is a Multiple Award Schedule?

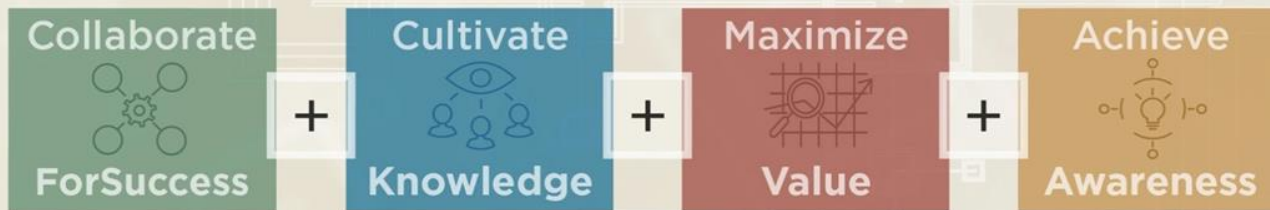
- Federal Supply Schedule (FSS) - Governmentwide contract vehicle for commercial products, services, and solutions
- Also known as “GSA Schedules”
- GSA receives Schedule contract offers through standing solicitations posted on FedBizOpps



MAS Schedule Facts

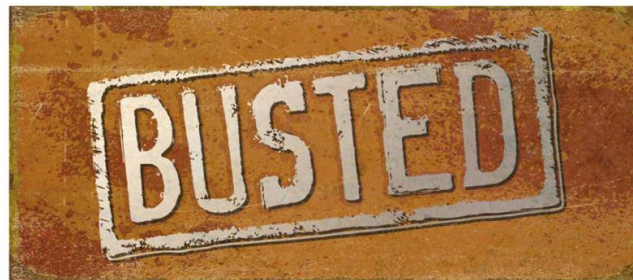
Did you know....

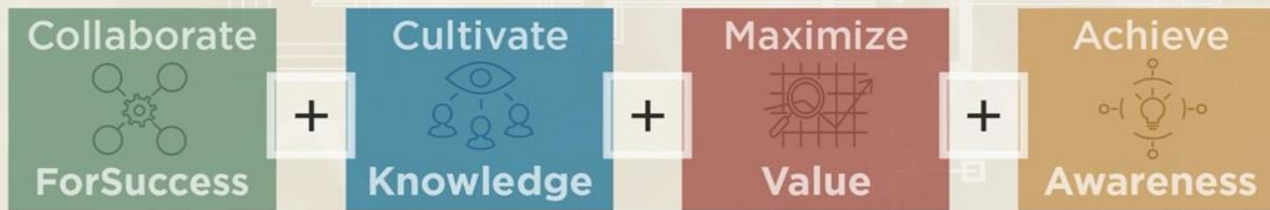
- GSA offers over 40 million supplies and services
- 34 open and standing solicitations published on FedBizOpps (including 9 managed by VA)
- Over 16,000 Schedule contracts
 - 80% are small businesses.
 - Orders and BPAs can be set aside for small businesses.
- \$47.2B Spend (\$33.4B GSA + \$13.8B VA)



Common Schedule Myths

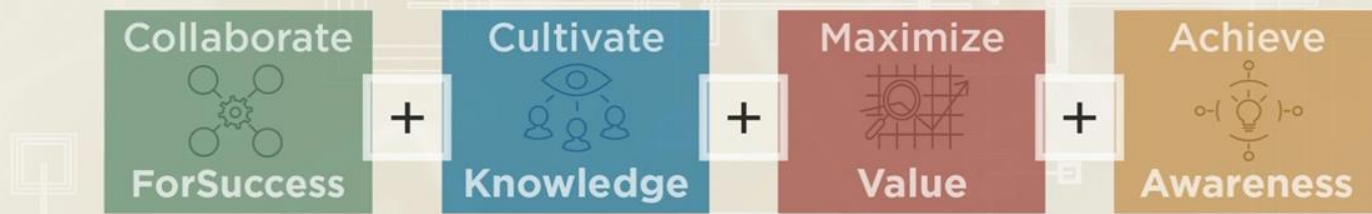
- ∅ Your agency can't add terms and conditions.
 - ✓Terms and conditions may be added at the order level as long as they do not conflict with the Schedule contract.
- ∅ Your agency can't seek price reductions.
 - ✓Price reductions may be sought on any order, but must be requested for orders exceeding the SAT. Contractors are not required to offer a discount.





MAS Contract Characteristics

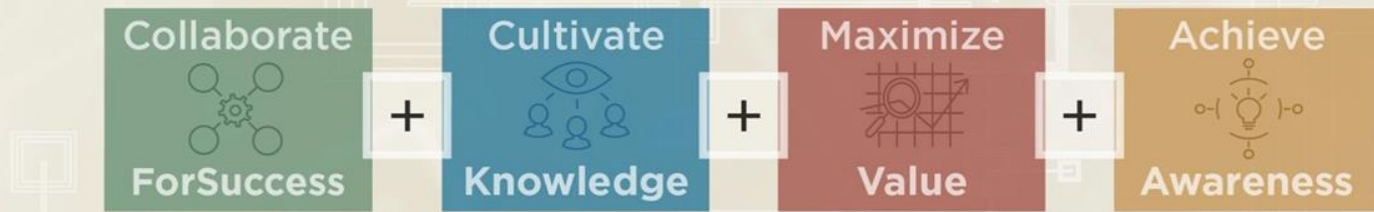
- Multiple Award IDIQ (5 year base, three 5 year options)
- Firm Fixed-Price or Firm Fixed-Price EPA
- Quantity and delivery performance requirements established at the order level
- Price Reductions – discounting is allowed at any time



MAS Contract Characteristics

Order Level Thresholds:

- At or Below the Micro-Purchase Threshold – place the order with any GSA Schedule contractor.
- Micro-purchase – SAT – survey at least three contractors and make a best value determination.
- Exceeding Simplified Acquisition Threshold (SAT) – ordering agencies must solicit or consider multiple sources and must seek price reductions.



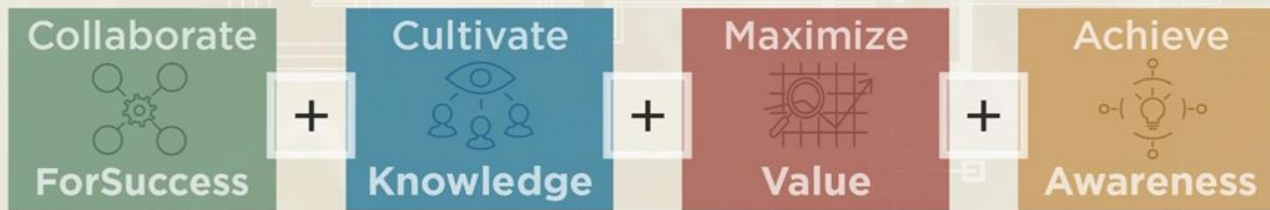
FAR Parts Not Applicable to Schedules

FAR	Title	Applicable
Part 13	Simplified Acquisition Procedures	NO (except allows for MAS BPAs)
Part 14	Sealed Bidding	NO
Part 15	Contracting by Negotiation	NO
Part 19	Small Business Programs	NO (except Bundling)
Part 36	Construction and A&E	NO



FAR Parts Applicable to Schedules

FAR	Title	Applicable
Part 7	Acquisition Planning	YES
Part 10	Market Research	YES
Subpart 17.5	Interagency Acquisitions	YES
Subpart 33.1	Protests	YES
Subpart 37.6	Performance Based Acquisition	YES
Part 39	Acquisition of Information Technology	YES



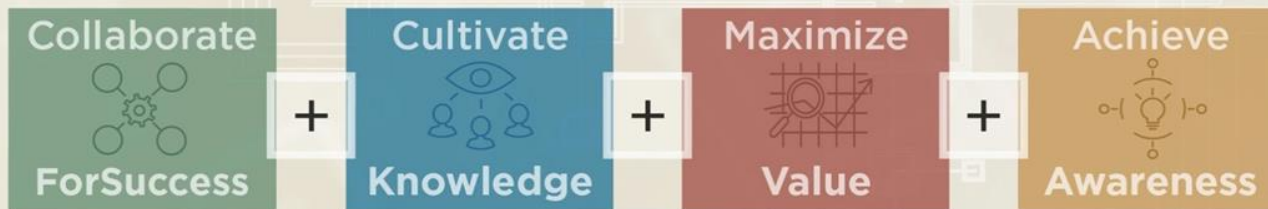
Authority to Use a GSA Schedule

Organizations

- Executive agencies
- Other Federal agencies
- Mixed-ownership Government corporations
- The District of Columbia
- Government contractors authorized IAW FAR 51.1
- Other activities authorized by statute or regulation

Purchasers

- Contracting Officers
- Holders of Governmentwide commercial purchase cards
- Those otherwise authorized by the agency or activity to order using GSA Schedules



FAR 8.002 - Priorities for Use of Mandatory Government Sources

**In descending order*

Supplies*	Services
Agency Inventory	Services that are on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (Ability One)
Excess from other agencies	
Federal Prison Industries	
Supplies that are on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (Ability One)	
Wholesale Supply Sources (GSA / DLA)	

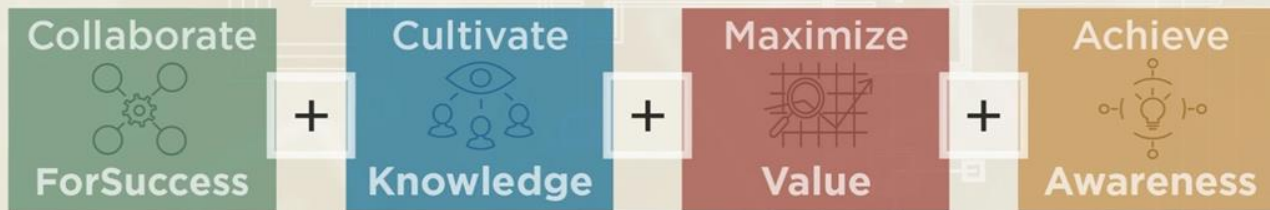


FAR 8.004 – Use of Other Sources

If agencies are unable to satisfy requirements through mandatory sources, they are encouraged to consider satisfying requirements through the following non-mandatory sources before considering commercial sources in the open market.

Supplies*	Services*
Federal Supply Schedules	Federal Supply Schedules
Governmentwide Acquisition Contracts	Governmentwide Acquisition Contracts
Multi-Agency Contracts	Multi-Agency Contracts
Other contracts or BPAs intended for Governmentwide use, i.e. Federal Strategic Sourcing Initiative (FSSI)	Other contracts or BPAs intended for Governmentwide use, i.e. Federal Strategic Sourcing Initiative (FSSI)
Wholesale Supply Sources	Wholesale Supply Sources
	Federal Prison Industries

*Not listed in any order of priority



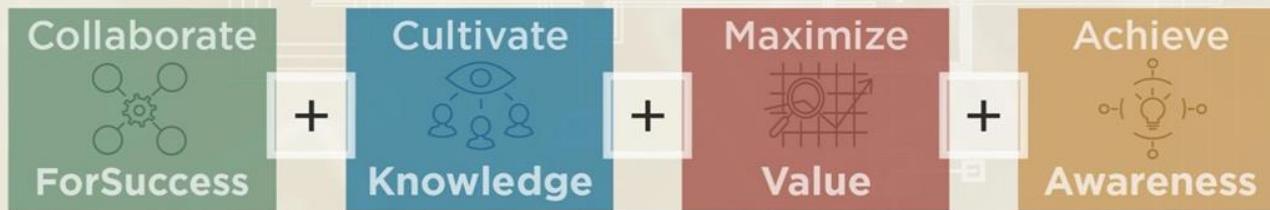
What Services Are Available on Schedule?

- Environmental Services
- Professional Engineering Services
- Logistics Services
- Language Services
- Management and Consulting Services (including Training)
- Temporary Administrative and Professional Services
- Information Technology Services
- Advertising and Marketing Services
- Financial and Business Solutions
- Security Solutions
- Facilities Maintenance
- Disaster Relief

Note: For a comprehensive list of services, please visit GSA eLibrary.

www.gsaelibrary.gsa.gov





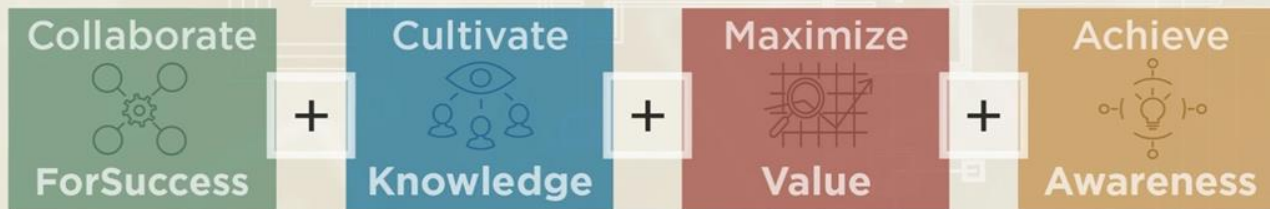
What Supplies Are Available on Schedule?

- Office Supplies and Equipment
- Tools and Hardware
- Building and Industrial Materials
- Furniture
- Scientific Equipment
- Information Technology Products
- Vehicles and Support Equipment
- Appliances and Food Services
- Law Enforcement, Fire, and Security Products

Note: For a comprehensive list of supplies, please visit GSA eLibrary.

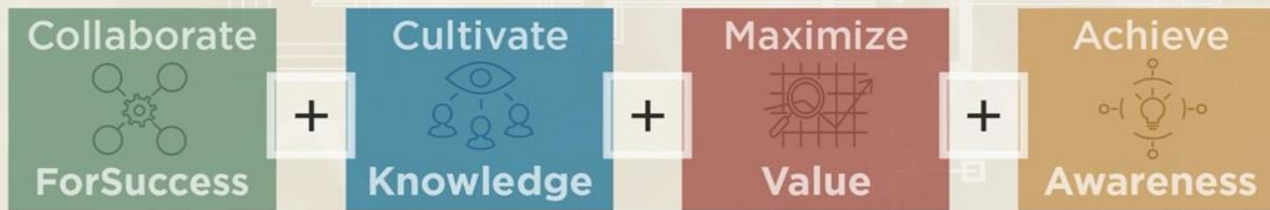
www.gsaelibrary.gsa.gov





Topic 2: *Benefits of the MAS Program*

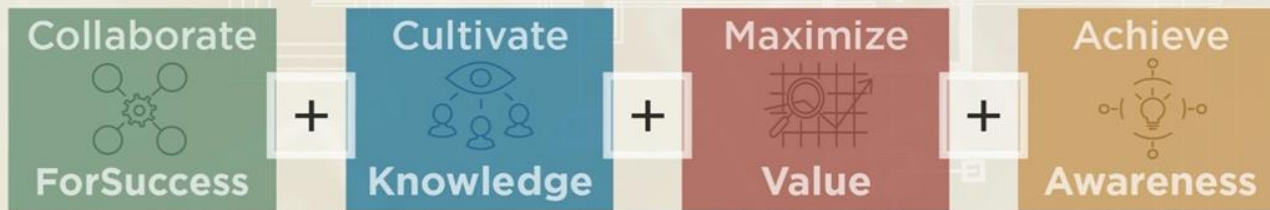
**What can MAS do for your
organization?**



MAS Value Proposition

- Realize cost savings
- Experience flexibility and choice
- Save time
- Realize transparency
- Control the procurement





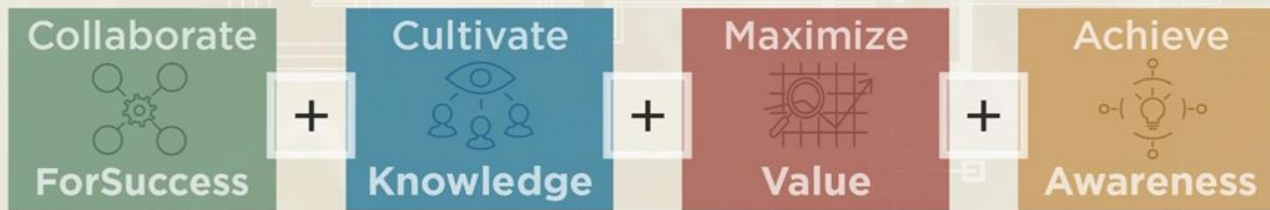
GSA Schedules Conform with Competitive Contracting

Schedule users shall not:

- ⊘ Seek further competition outside of the MAS program
- ⊘ Synopsize the requirement (unless Sole-Source greater than SAT with a Limited Sources Justification (LSJ))

– See 8.404(g))



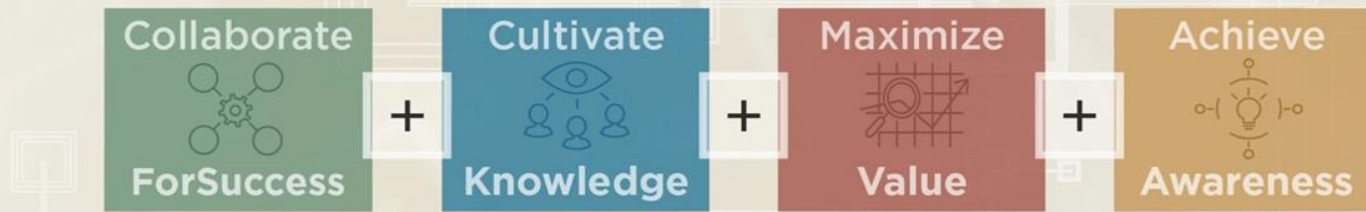


Agency Goals

MAS Schedules can help agencies meet their:

- Socioeconomic goals
- Sustainability/Environmental goals





MAS Supports Small Business Utilization

- MAS Program promotes small business through socioeconomic preference or set-asides.
- FAR Part 19, *Small Business Programs*
 - Applies to Schedule contracts
 - Does not apply to orders
- Exception to FAR 19 applicability at the order level:
 - Bundling (FAR19.202-1(e)(1)(iii))
 - Size standard criteria



MAS Supports Small Business Utilization, Cont.

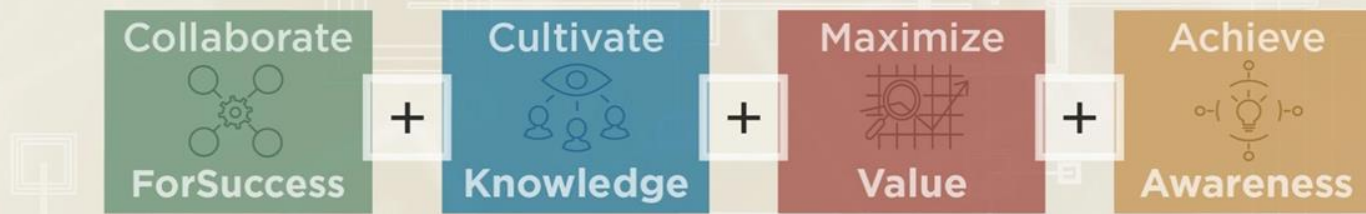
Non Set-Aside Orders

- Consider at least one small business prior to placing an order (8.405-5(c)).
- Give preference to small business if you have at least two (2) quotes at the same delivered price from small business (8.405-5(d)).
- Encourage use of Contractor Team Arrangements (CTAs).
- There is no limitation on subcontracting.
- Ordering activity receives socioeconomic credit (8.405-5(b)).
- Consider socioeconomic status as a primary evaluation factor (8.405-5(c)).
- You may choose small business subcontracting as an evaluation factor.



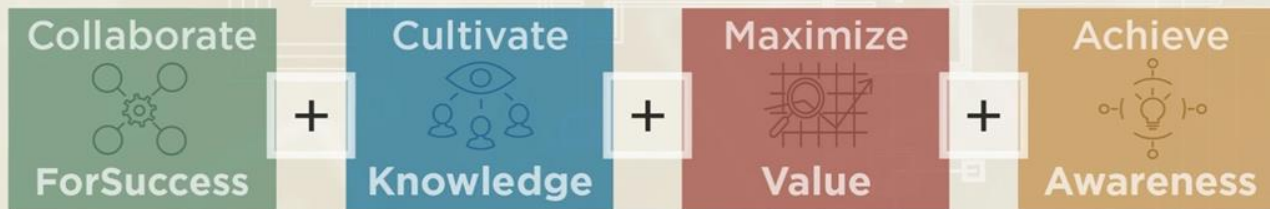
FAR Part 19: Small Business Programs

- Part 19 generally does not apply to Schedule orders. – (See 8.404(a))
 - FAR 8.405-5 provides policy for Schedules set-asides.
- **19.502-4 Multiple-award contracts and small business set-asides.**
 - Contracting officers may, at their discretion—
 - (c) Set aside orders placed under multiple-award contracts for any of the small business concerns identified in FAR 19.000(a)(3)...
 - “For Federal Supply Schedules Program orders, see FAR 8.405-5.”
- **19.508(c)** requires clauses for total and partial set-asides as well as limitations on subcontracting be added to orders under MAS.



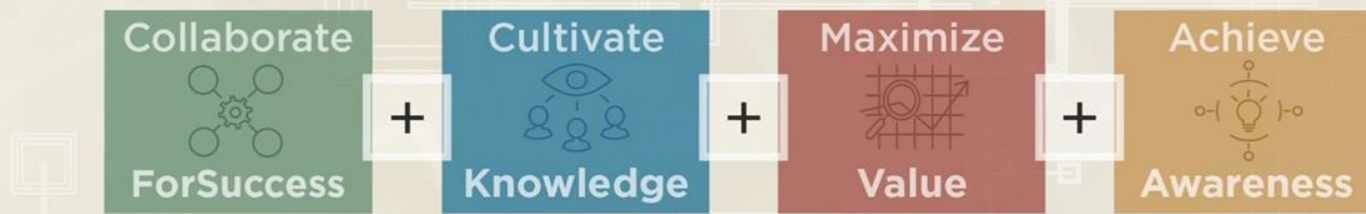
FAR Subpart 8.405-5 – Small Business

- **8.405-5(a)** – Preference programs of Part 19 are not mandatory.
- **8.405-5(a)(1)** – Set-asides are discretionary for orders and BPAs for small business concerns identified in 19.000(a)(3).
- **8.405-5(a)(2)** – Follow the ordering procedures at 8.405-1, 8.405-2, and 8.405-3 as applicable.
 - The specific small business program eligibility requirements identified in Part 19 apply.



FAR Subpart 8.405-5 – Small Business, Cont.

- 8.405-5(b) – Orders placed against Schedule contracts may be credited toward the ordering activity's small business goals.
 - For purposes of reporting, an ordering agency may take credit only if the awardee meets a size standard that corresponds to the work performed.
 - Ordering activities should rely on the small business size representations made at the Schedule contract level.
 - If prime is large, everything is reported as large even if small subcontractors are involved.
- Agencies do not need to make a separate size determination at the order level, however...
- GAO has upheld agencies' right to request a recertification at the order level. (CMS Information Services Inc., B-290541, Aug. 7, 2002)



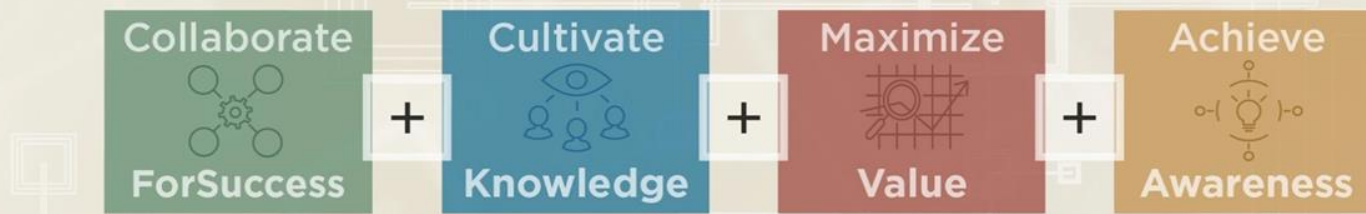
Certification Requirements for MAS Contracts

- MAS contract's size standard certification is generally valid for 5 years.
- Firms must recertify at the time of an option exercise.
 - Exceptions:
 - Novation (within 30 days after effective)
 - Merger or Acquisition (within 30 days after effective)
- See FAR 19.301-2



Required Clauses

Clause	Title
52.219-3	Notice of HUBZone Set-Aside or Sole Source Award (Nov-2011)
52.219-6	Notice of Total Small Business Set-Aside (Nov-2011)
52.219-13	Notice of Set-Aside of Orders (Nov-2011)
52.219-14	Limitations on Subcontracting (Nov-2011)
52.219-27	Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Nov-2011)
52.219-29	Notice of Set-Aside for Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns (Nov-2011)
52.219-30	Notice of Set-Aside for Women-owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Nov-2011)



RFQ Language

The Contracting Officer should include the following language in the RFQ:

This is a notice that this [insert either “order” or “Blanket Purchase Agreement”] is a total set aside for [insert either “small business concerns” or specify a type of small business concern]. Only quotes submitted by [insert either “small business concerns” or specify a type of small business concern] will be accepted by the Government. Any quote that is submitted by a contractor that is not [insert either “a small business concern” or specify a type of small business concern] will not be considered for award.

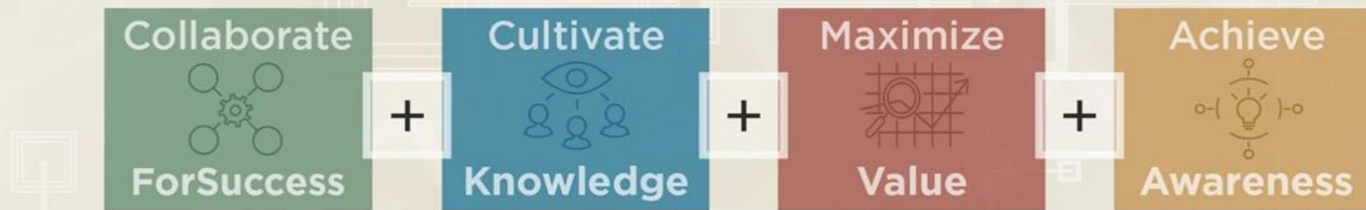
Note: If using eBuy and selecting “set aside,” this language will be included in the RFQ automatically.

Set-Aside	Non-Set-Aside
Ordering activity may conduct discretionary set-asides	Ordering activity should give preference to small business if at least two
FAR Part 19 does not apply – See 8.405-5 (ordering procedures come from 8.405-1, 8.405-2, or 8.405-3)	May use socioeconomic status as an evaluation factor
Limitations on Subcontracting apply	No Limitations on Subcontracting
NMR applies	NMR does not apply
Ordering activity receives socioeconomic credit	Ordering activity receives socioeconomic credit
No “rule of two” – Must ensure competition requirements in 8.405-1, 8.405-2, or 8.405-3 are met	



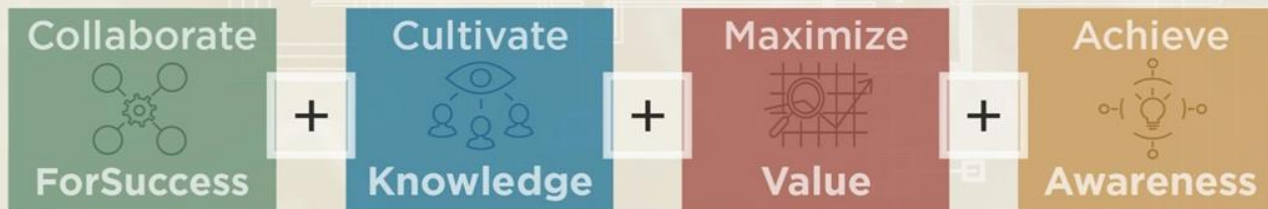
FAR Subpart 8.4 Simplifies the Acquisition Process

- In contrast to FAR Part 15, *Contracting by Negotiation*, Schedule orders do not require:
 - Conducting a formal “negotiated procurement” (Source Selection Evaluation Board (SSEB))
 - Issuing a “solicitation” for thirty days (or any other pre-determined time)
 - Conducting a “competition” by seeking contractors outside the Schedules program
 - Synopsizing the requirement on FedBizOpps, unless it’s a limited sources acquisition over the SAT
 - Conducting “discussions”
 - Conducting formal “debriefings” or “competitive range determinations”
 - Using FAR Subpart 15.3 concepts and procedures



Topic 3: *Market Research*

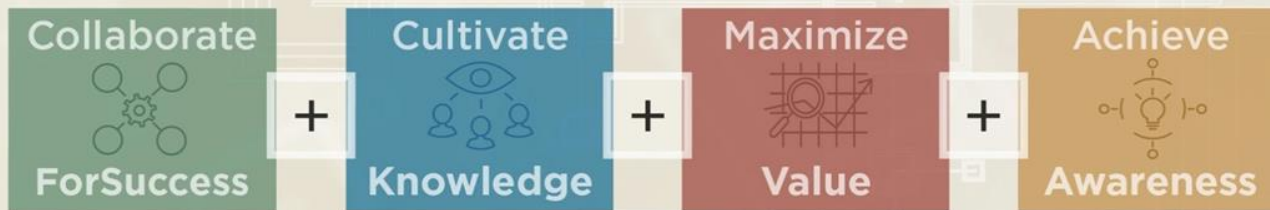
Why conduct market research?



Purposes of Market Research

- Purpose: to find the most suitable approach to acquiring, distributing, and supporting supplies and services for agency needs
- Determine adequacy of:
 - Any commercial products/services for the need
 - GSA Schedule sources if commercially available
 - Support practices for the agency's need
- Determine potential for inclusion of commercial or non-developmental items
- Locate small businesses for potential set-aside
- Ensure maximum practicable use of recovered materials, energy conservation, and efficiency
- Determine advisability of bundling

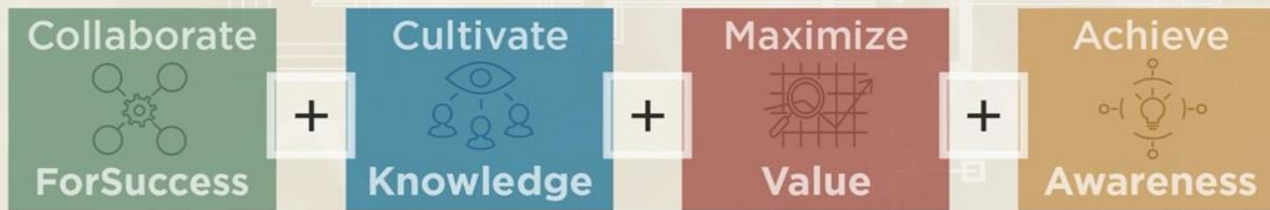




Market Research Goals

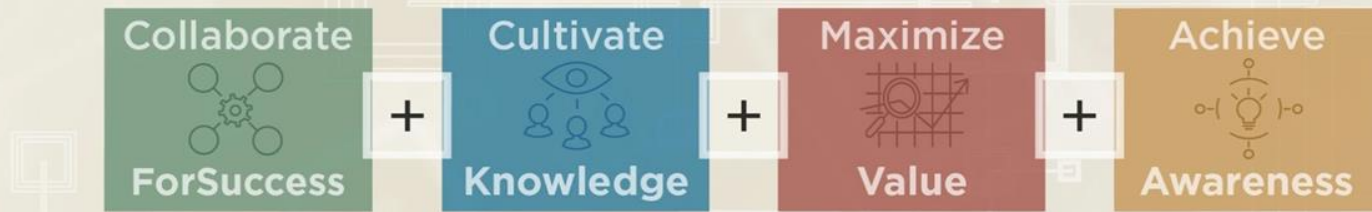
Market research involves:

- Collecting and analyzing market capability information
- Identifying the:
 - True needs of activity
 - Marketplace availability
 - Most suitable approach for:
 - Acquisition
 - Distribution
 - Support



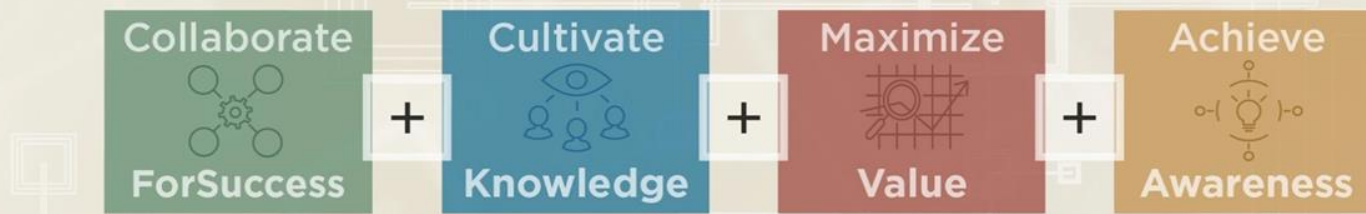
Market Research Requirements

- Market research is the cornerstone for compliance with requirements for competition when order value exceeds SAT.
- Market research also can justify and document the basis to use Schedule (interagency) as best procurement vehicle when order exceeds \$550,000 (FAR 17.502).
- Contracting Officers must identify Schedule contractors capable of performing as required.
- Market research is required to ensure at least three quotes will be received.



Market Research Addresses Requirements

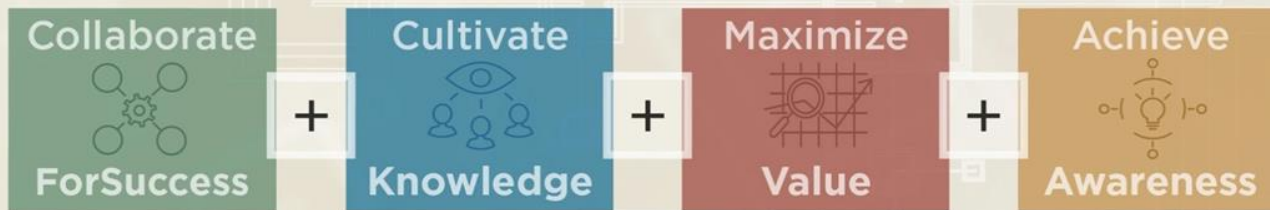
- Understand requirement completely – in terms of the end result or objective.
- Ask **form**, **fit**, and **function** questions.
- Determine salient characteristics and sustainability requirements.



Market Research Sources: Common Acquisition Platform

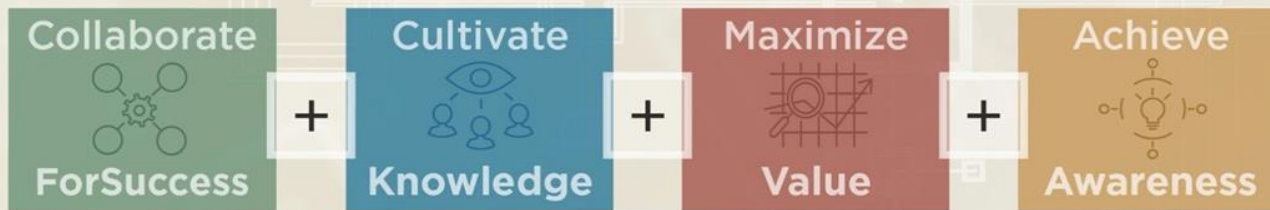
Common Acquisition Platform (CAP)

- A common set of digital and shared services for all Government purchasers
- Online access to all resources for a product or service category
- A holistic view of products and services the Government acquires



Features of CAP's Acquisition Gateway

- Solution Comparisons
- “Hallway” Resources
 - Prices paid data
 - Market research and acquisition planning
 - Expert articles
- Connections to Other Acquisition Professionals
- Personal Project Center
- Other Resources and Tools, Communities, Events, and News

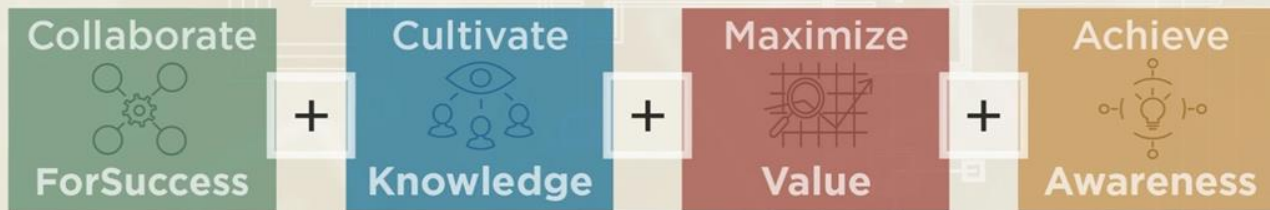


Market Research Sources: Common Acquisition Platform



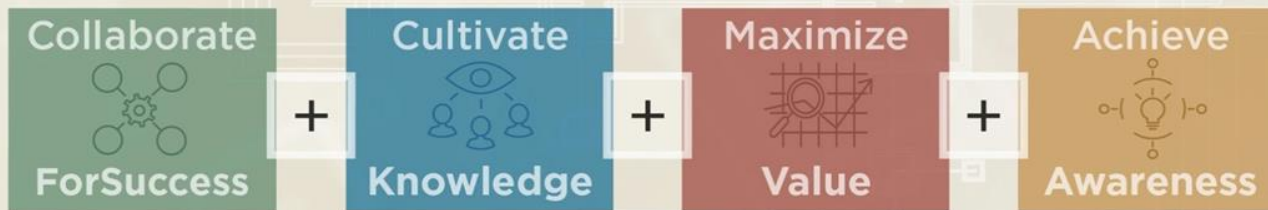
Common Acquisition Platform

<https://hallways.cap.gsa.gov>



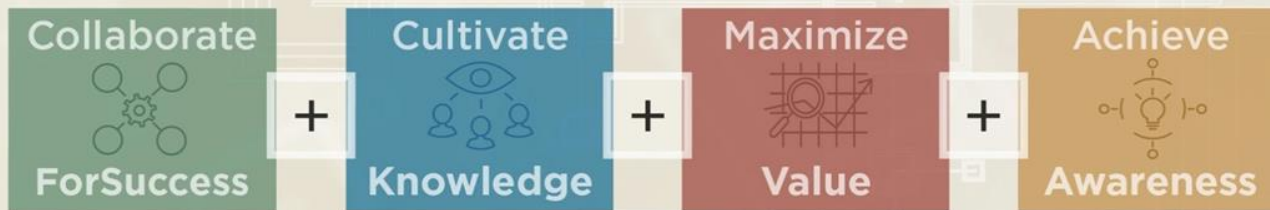
Other Sources for Market Research

- GSA *Advantage!*®
- GSA *eLibrary*
- GSA CALC tool
- Green Procurement Compilation (GPC)
- PPIRS
- RFIs on *eBuy*
- General Information Sources
 - BLS PPI and CPI
 - Trade Journals, catalogs
 - FAR Contract Pricing Reference Guide
 - MarkeTips Magazine
- Recent similar acquisitions



Topic 4: *Acquisition Strategies Using Schedules*

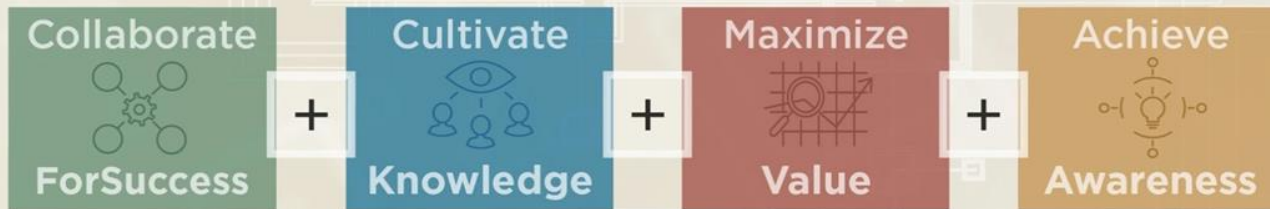
What about acquisition planning?



Acquisition Planning: Background and Objectives

- Statement of need
- Applicable conditions
- Independent Government Estimate (IGE)
- Possibility of small business set-asides
- Capability or performance
- Delivery or performance period requirements
- Tradeoffs
- Risks
- Acquisition streamlining

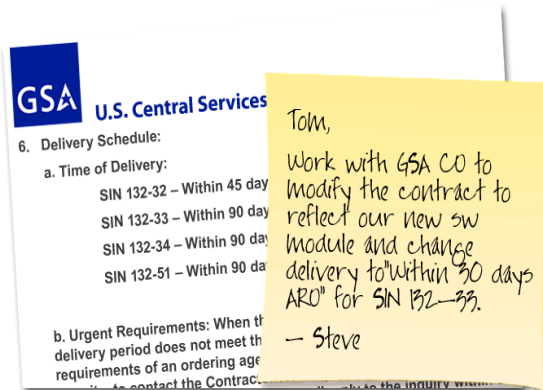




Possible Schedule Alternatives to Open Market Items



Contractor Team Arrangement (CTA)



Modify Schedule Contract



Government Furnished Property (GFP)

Ordering Procedures – FAR 8.405-1

When ordering supplies or fixed-price services w/out SOW



Exceeds SAT

- Develop RFQ
- Receive ≥ 3 quotes - use of eBuy meets fair notice
- Limited Sources Justification if applicable
- Seek price reduction
- May not place orders orally
- Best value determination

Micro – SAT

- Survey ≥ 3 contractors
- Limited Sources Justification if applicable
- Determine if a price reduction should be sought
- Best value determination

Below Micro

- Place order with contractor
- Distribute orders among contractors

Ordering Procedures – FAR 8.405-2

When ordering services requiring an SOW



Exceeds SAT

- Prepare SOW and establish evaluation criteria
- Receive ≥ 3 quotes – use of eBuy meets fair notice
- Limited Sources Justification if applicable
- Seek price reduction
- Best value determination
- Overall price reasonableness determination (consider mix of labor and level of effort)
- May not place orders orally

Micro – SAT

- Create SOW and evaluation criteria
- Issue RFQ to ≥ 3 contractors
- Limited Sources Justification if applicable
- Distribute orders among contractors
- Best value determination

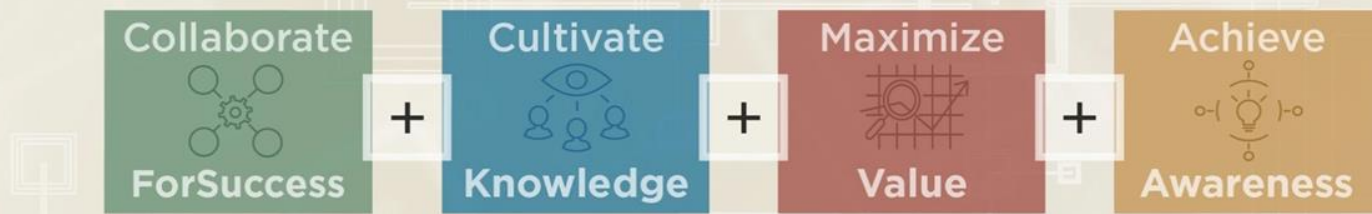
Below Micro

- Place order with contractor
- Distribute orders among contractors

Schedule Order Types



Note: Cost type orders are not allowed under GSA Schedules.



Limited Sources Justification and Approval

- FAR 8.405-6
- Schedule orders are exempt from FAR Part 6.
- Ordering activities must justify restricting consideration when:
 - Restricting to fewer contractors than required per 8.405-1 and 8.405-2
 - Limiting to brand name



Limited Sources Justifications

- An urgent and compelling need exists, and following the procedures would result in unacceptable delays.
- Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized.
- The new work is a logical follow-on to an original MAS order, provided that the original order was a competitive Schedule order.
- See FAR 8.405-6(d) for monetary thresholds and approval requirements.

Limited Sources Justification (LSJ) Requirements

Limited Source Order/BPA (8.405-6(a))

Threshold	LSJ Required	Posting Required
Exceeds SAT	Yes	Yes
Micro – SAT	Document Circumstances – not a full blown LSJ	No
Below Micro-Purchase	No	No

Posting requirements: Within 14 days after placing an order or establishing a BPA exceeding the simplified acquisition threshold that is supported by a limited-sources justification the ordering activity shall:

- ☐ Publish a notice in accordance with FAR Subpart 5.301 and
- ☐ Post the justification:
 - At www.fedbizopps.gov and
 - On the website of the ordering activity agency, which may provide
 - access to the justification by linking to FedBizOpps and
 - For a minimum of 30 days.

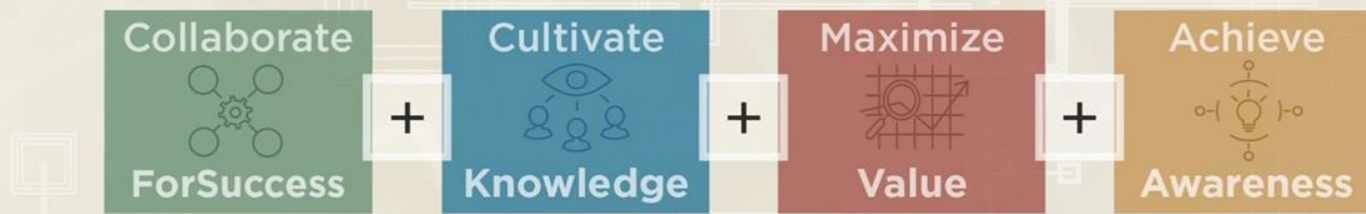
Limited Sources Justification (LSJ) Requirements, Cont.

Brand Name (8.405-6(b))

Threshold	LSJ Required	Posting Required
Exceeds SAT	Yes	Yes - eBuy
\$25k – SAT	Document Circumstances – not a full blown LSJ	Yes - eBuy
Micro - \$25k	Document Circumstances – not a full blown LSJ	No
Below Micro-purchase	No	No

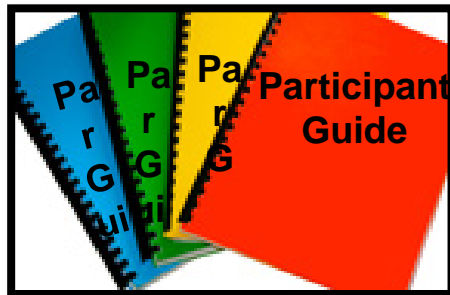
Posting requirements: The ordering activity shall post the following information along with the Request for Quotation (RFQ) to e-Buy:

- ☐ For proposed orders or BPAs with an estimated value exceeding \$25,000, but not exceeding the simplified acquisition threshold, Contracting Officer shall document the file.
- ☐ For proposed orders or BPAs with an estimated value exceeding the simplified acquisition threshold, Limited Sources Justification.



Post-Award Posting Requirements for Limited Source

- FAR 8.405-6(d)
 - Post notice/justification of limited source procurements on FedBizOpps or agency website with link accessible from FedBizOpps.
 - Post NLT 14 days after award - remain accessible to public for 30 days.
- Urgent and Compelling LSJ may be approved after award; post NLT 30 days after award and remain accessible for 30 days.
- Exceptions to posting
 - Disclosure would compromise the national security or create other security risks.
 - The nature of the file (size + format) does not make it cost effective or practicable for COs to provide access through *eBuy*.
 - Agency's Senior Procurement Executive (SPE) makes a written determination that access through *eBuy* is not in the Government's interest.



- Commercial items on Schedule
- Items included in the task order
- Items support and are not the primary purpose of the order

Ancillary Supplies and Services

- Travel in the performance of a task order
- Reimbursable according to agency and Federal regulations

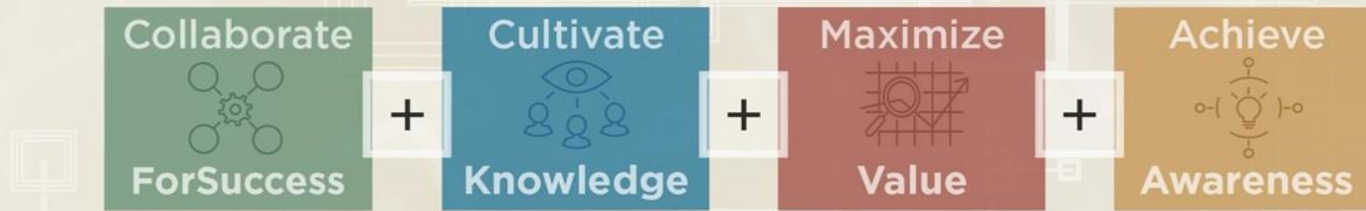


Travel Reimbursable Items



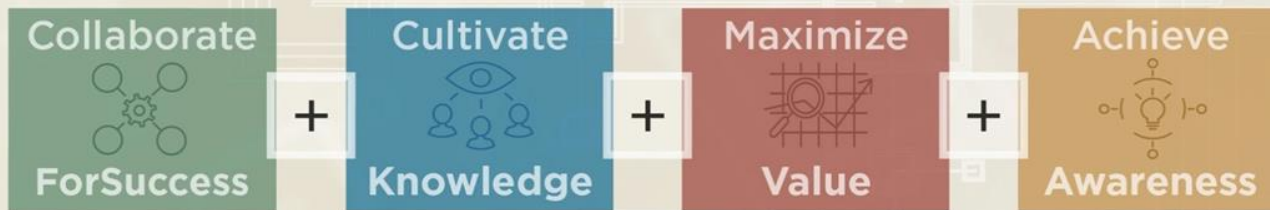
Open Market Items

- Commercial items not on Schedule
- Can be mixed with Schedule items only if all clauses applicable to those items are included and the ordering Contracting Officer determines prices are fair and reasonable and within scope

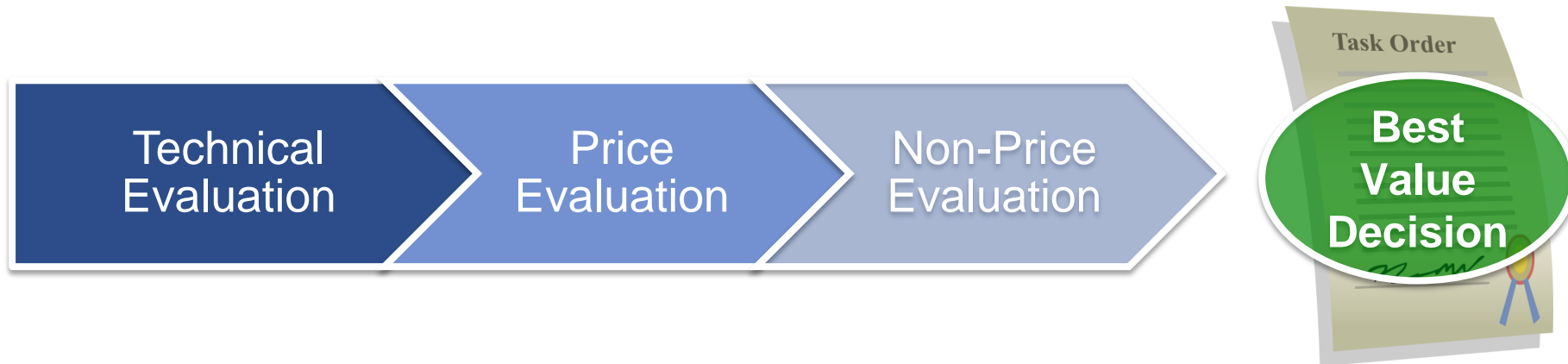


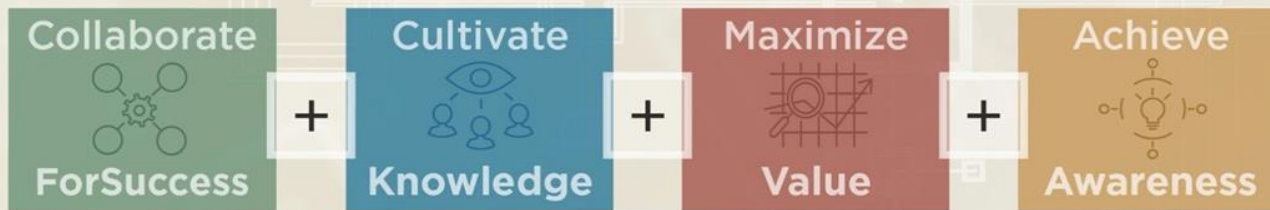
Topic 5: *Task/Delivery Order Award, Administration and Closeout*

What happens between award and closeout?



Evaluation Process



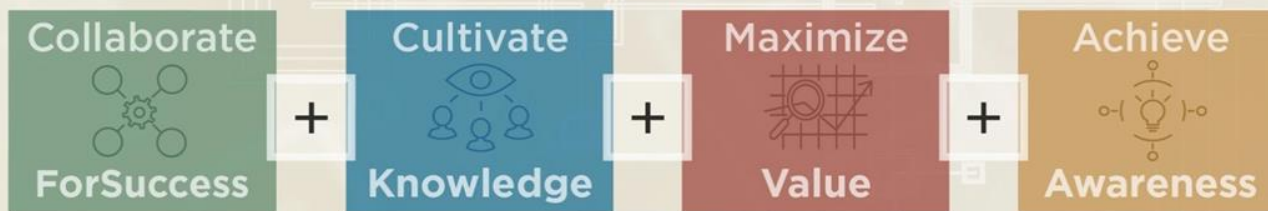


Comparing Best Value

IAW FAR 8.4, ordering activities should place orders on a “best value” basis.



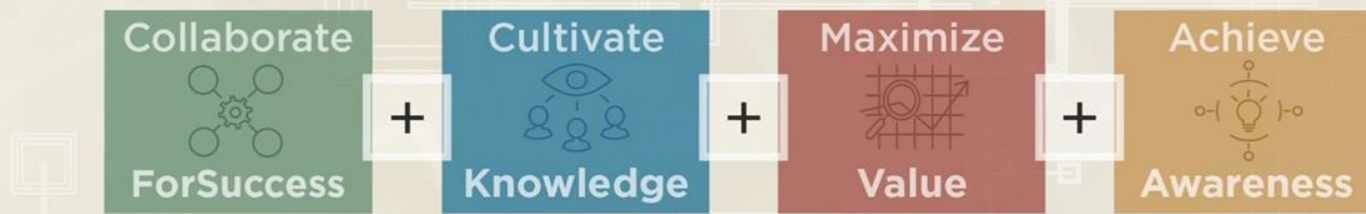
Best Value Continuum



Best Value Factors

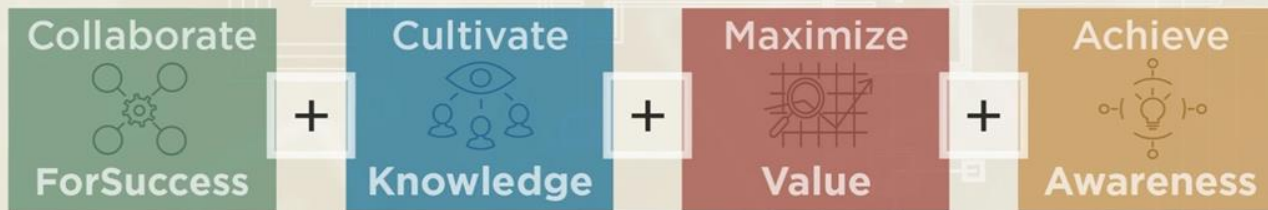


FAR 8.405



Best Value Factors: Procurement of Services

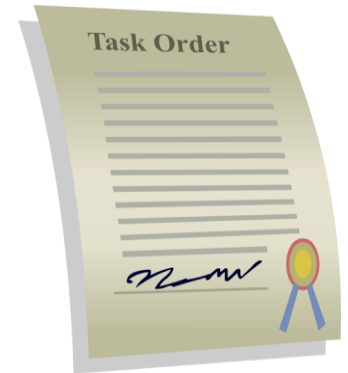
- In addition to considering past performance/experience and price, you may consider other “best value” factors.
 - Possession of specialized experience or expertise
 - Use of tools, processes, or procedures that ensure high quality or enhanced performance
 - Certifications, awards, or recognition demonstrating competence and/or reduced risks
 - Soundness of technical approach
 - Ability to successfully manage, as demonstrated in the management plan
 - Qualifications of key personnel

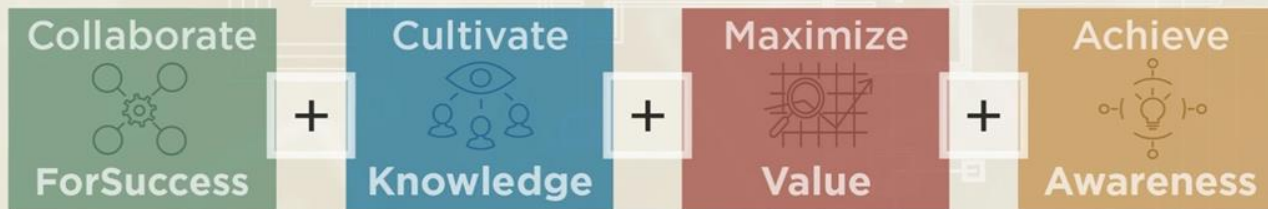


Making and Documenting the Decision

Documentation – Orders without SOW (8.405-1)

Documentation	Completed
Schedule contractors considered	✓
Contractor chosen	✓
Description of supply or service purchased	✓
Amount paid	✓
Evidence of compliance with the ordering procedures when exceeding the SAT	✓
Basis for award decision	✓
Determination that interagency vehicle (Schedule) constitutes best approach (when exceeding \$500,000)	✓

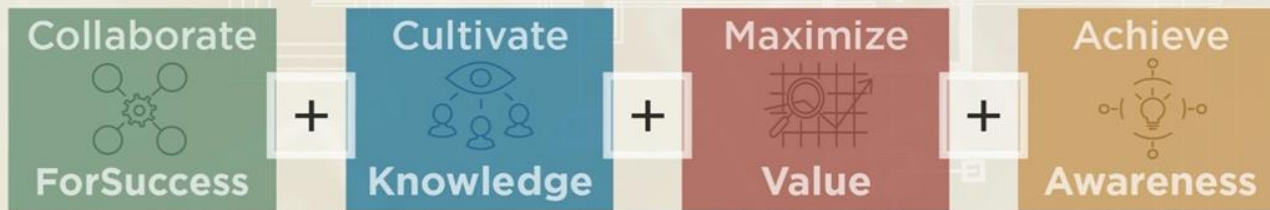




Making and Documenting the Decision

Documentation – Orders with SOW (8.405-2)

Documentation	Completed
Schedule contracts considered; contractor chosen	✓
Description of supply or service purchased	✓
Amount paid	✓
The evaluation methodology used in selecting the contractor to receive award	✓
The rationale for any tradeoffs in making the selection	✓
Overall price reasonableness determination	✓
Rationale for using other than FFP or PBA	✓
Evidence of compliance with the ordering procedures when exceeding the SAT	✓
Determination that interagency vehicle (Schedule) constitutes best approach (when exceeding \$550,000)	✓



Notification of Unsuccessful Quoters

May Include

- Number of Schedule contractors solicited and quotes received
- Name and address of each Schedule contractor receiving an order or BPA
- The total price of each order
- General reason(s) why the contractor's quote was not accepted

Do Not Include

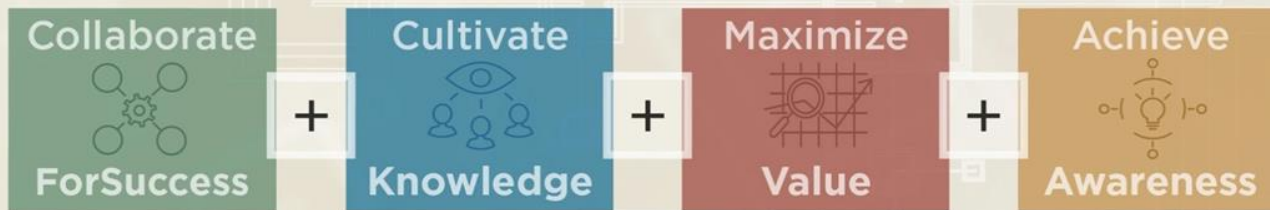
- Information on other quoters including point by point comparisons
- Trade secrets
- Privileged or confidential processes, techniques, commercial or financial information
- Names of individuals regarding past performance



Protests

- A protest is a written objection to the awarding of a contract by an interested party.
- A protest can be to the agency or to GAO.
- Protests can occur in the following situations:
 - Procedural issues
 - Scope issues
 - Open market items

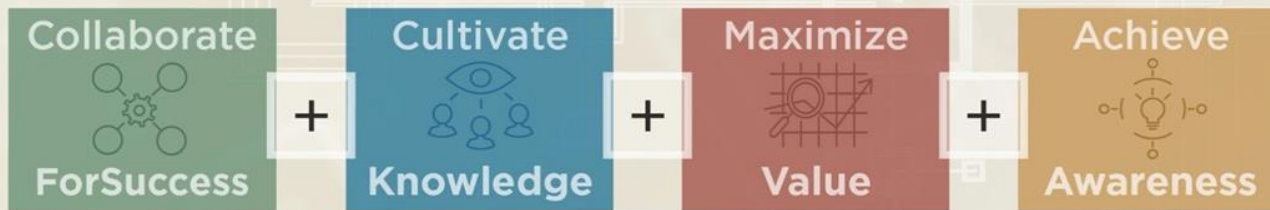
Note: FAR Subpart 33.1 is applicable to orders placed against GSA Schedules.



Order Administration Functions

- Order administration focuses on obtaining **quality** services and supplies:
 - On time
 - Within budget
- Administration activities vary depending upon the situation, but may include:
 - Monitoring performance
 - Non-conformance remedies
 - Dispute resolution
 - Inspection and Acceptance
 - Order/BPA modifications
 - Performance incentive payment determinations
 - Prompt payments
 - Order/BPA closeout



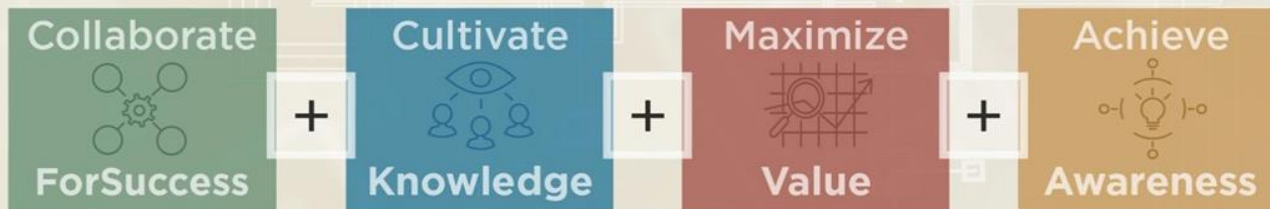


Requirements for Termination

To terminate a Schedule order:

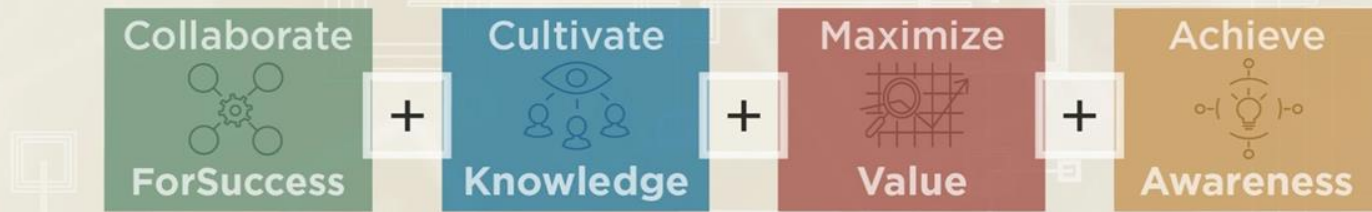
- Review the GSA Schedule contract to identify applicable clauses prior to taking action.
- Include in the order file a record of dates the Schedule contractor received notices and copies of all documentation to and from the contractor.





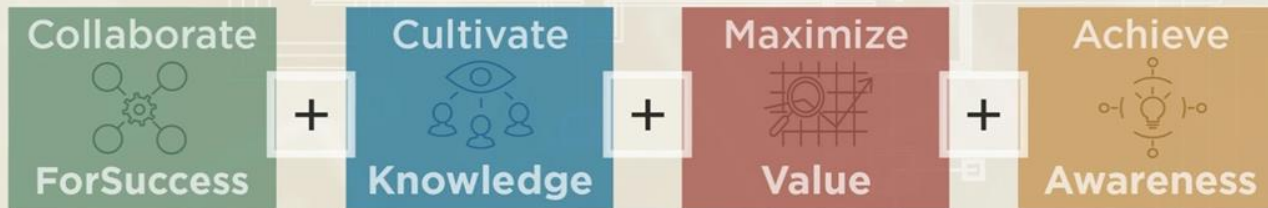
Termination for Cause

- FAR Subpart 8.406-4
- The ordering activity has the right to terminate all or part of an order when the contractor defaults or fails to comply with any of the contract terms and conditions, or fails to provide the Government, upon request, with adequate assurances of future performance.
- The ordering activity must notify GSA when:
 - A Schedule order is terminated for cause.
 - Fraud is suspected.



Termination for Convenience

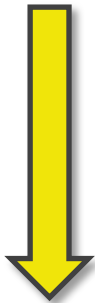
- FAR Subpart 8.406-5
- The ordering activity has the right to terminate all or part of an order when it is in the Government's best interest (e.g., when an item is no longer needed).
- If the Schedule Contracting Officer terminates any services or supplies covered by the contract:
 - The contractor **must** complete any orders for those services or supplies.
 - The ordering activity Contracting Officer **may** terminate the order for convenience.



Required Actions at Closeout



Receive Deliverables



Address Administrative Matters



Close Financial Matters



**Write Task/Delivery Order
Completion Statement
FAR 4.804-5(b)**



**Organize Contract File
Content**



**Enter Contractor
Performance Information**

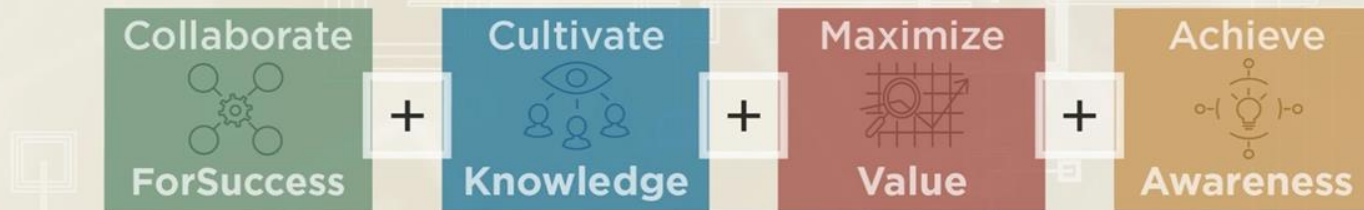


Store Contract Files

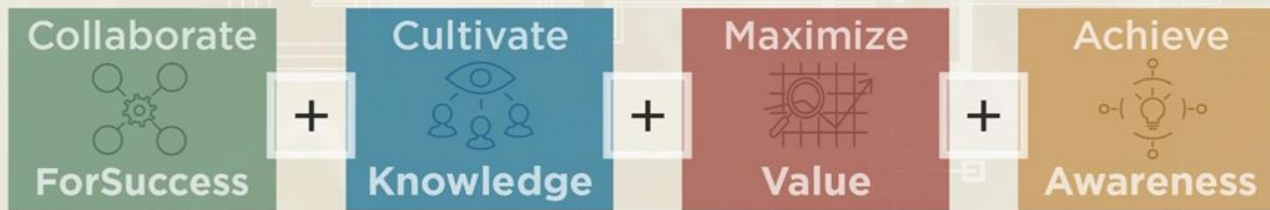


➤ Webinars and Online Training

- Monthly Webinars sponsored by the MAS Program Office
<http://www.gsa.gov/masnews>
- Training Videos -
<http://www.gsa.gov/portal/content/210517>
- Continuous Learning Modules
 - Federal Acquisition Institute
 - Defense Acquisition University
<http://icatalog.dau.mil/>
Search for continuous learning modules with “FAC” prefix



FAC 023 Basic Contracting for GSA Schedules (Requirement for a FAC-C Level I certification)	
FAC 024	GSA Global Supply
FAC 027	GSA Schedules and Small Business
FAC 028	GSA Schedules and Sustainable Acquisition
FAC 029	GSA Schedules vs. Open Market
FAC 036	Schedules BPAs CTAs
FAC 037	GSA Schedules eBuy
FAC 038	How to Integrate Green
FAC 039	GSA GWACs
FAC 040	VETS GWAC
FAC 041	Alliant GWAC
FAC 042	8(a) STARS II GWAC
FAC 052	Reverse Auctions



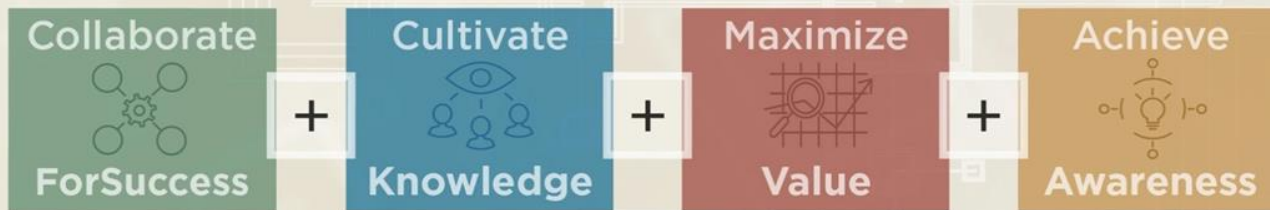
MAS Desk Reference



Online at
www.gsa.gov/masdeskreference

Hard copy available
through CMLS

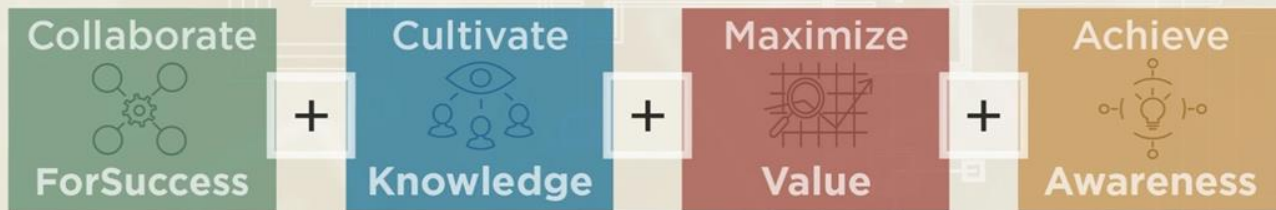
www.gsa.gov/cmls



Key GSA Web Resources

- www.gsa.gov/schedules
- www.gsa.gov/schedulesolicitations
- www.gsa.gov/events
- www.gsa.gov/cmls
- www.gsa.gov/csd
- interact.gsa.gov (Look under “Community” then “Groups”)





Questions

